IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 263 of 2007()

---

CMP.4358/2006 of J.FCM,NILAMBUR
Crime No.21/06 of Pothukallu Police Station

.....

: PETITIONER/ACCUSED

---

MECHERI SUDHEER, S/O.UMMER,
AGED 29 YEARS, VELUMBIYAMPADAM,
CHUNGATHAR AMSOM AND DESOM, NILAMBUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENT: COMPLAINANT

---

STATE OF KERALA, THROUGH SUB INSPECTOR,
POTHUKALLU POLICE STATION REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.Ramkumar, J.**

**==========**

**B.A.No.263 of 2007**

**==========**

**Dated this the 18th day of January, 2007.**

**ORDER**

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the first accused in Crime No.21 of 2006 of Pothukallu Police Station for offences punishable under Sec.55(a)(h) read with Sec. 53 of the Abkari Act for having been found in possession of 44 litres of illicit arrack on 6.12.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Nilambur and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 18/1